

## **MEETING 31 June 10**

At a Regular Meeting of the Madison County Board of Supervisors on June 10, 2008 at 3:00 p.m. in the Madison County Administrative Center Auditorium:

PRESENT: Eddie Dean, Chairman, Eddie Dean  
James L. Arrington, Vice-Chairman  
William L. Crigler, Member  
Bob Miller, Member  
Clark Powers, Member  
V. R. Shackelford, III, County Attorney.  
Lisa R. Kelley, County Administrator  
Jacqueline S. Frye, Secretary

Chairman, Eddie Dean called the meeting to order and announced that all members are present and a quorum has been established.

### **IN RE: VIRGINIA DEPARTMENT OF TRANSPORTATION**

Donald Gore, Resident Engineer, was present and provided the following report: clearing brush, trees and cleaning pipes after severe storms; will continue improvements on Route 680 until completion; mowing on primary roads is complete – will begin secondary roadways shortly – contractors will be performing paving work and the department will be doing upgrades on gravel roads; visited Larkins Mill (Route 722) and all appears to be progressing despite recent wet weather; repairs to bridge over Robinson River are underway; material from the vacuuming machine is being stored on a Madison lot and deposited at the Madison Transfer Station after it is dried (contract in place for material to be disposed of; also, stated he met with representatives from LINCO – they should have something to the County Administrator sometime today.

Donald Gore stated the discussion he had with representatives from LINCO was fairly productive despite disagreements; however, suggestions were made and a proposal should be forthcoming shortly.

Lisa Kelley, County Administrator, advised there are some places along the Main Street where the joints are failing and will need to be repaired; also the joint/seams along the length of Main Street are not up to standards as required by the Virginia Department of Transportation; LINCO isn't agreeing to redo the patchwork for the length of Main Street but did indicate they would walk the area with Doug Meredith of LMW and prepare a list of areas that were in the scope of the contract which they will redo. In

closing, she stated the work that has not yet failed is warranted for three (3) years and a bond was attained on the work.

Lisa Kelley, County Administrator, advised the contract working on Larkins Mill Road (Route 722) has been having much difficulty due to the excessive rain the County has been experiencing – when the area gets dry, substantial rains occur and limit work being done at the site; however, on days when work can be done; although there have been a few minor setbacks, the contractor forwards daily reports without fail.

Donald Gore advised that progress is good despite the recent weather conditions that have been occurring in Madison County.

Donald Gore also stated that representatives from LINCO did replace the handicap ramp which is acceptable according to Virginia Department of Transportation standards.

Donald Gore advised he checked the gutter area in front of the Madison Drug Store that was holding water (representatives dumped water and it ran through).

Chairman, Eddie Dean asked if there was any input as to what might occur during the special session of the General Assembly on transportation, to which Donald Gore advised that he has only been informed of disagreements from the Democrats and Republicans.

#### **IN RE: PAYROLL & CLAIMS**

Chairman, Eddie Dean asked if there were any concerns about the Payroll & Claims Report as presented.

Chairman, Eddie Dean stated the next month will be federal payout month as the County will have several semi-annual, annual and quarterly payments at the end of June 2008.

Lisa Kelley, County Administrator, advised that all departments have been advised to forward all invoices for payment by Monday, June 16, 2008 in order to close out as much as possible – after July 1<sup>st</sup>, adjustments will be made for any bills that are received after the cut-off date.

After discussion, on motion of William L. Crigler, seconded by Bob Miller, the warrants issued in satisfaction of payroll for May 2008 (Checks #30110328 through

#30110338 and #30110349 and electronic transfer #11, are hereby approved, with the following vote recorded:

Eddie Dean	Aye
James L. Arrington	Aye
William L. Crigler	Aye
Bob Miller	Aye
Clark Powers	Aye

On motion of William L. Crigler, seconded by Clark Powers, the warrants issued in satisfaction of claims against the County for May 2008 (Checks 10127904 through #10128154) are hereby approved, with the following vote recorded:

Eddie Dean	Aye
James L. Arrington	Aye
William L. Crigler	Aye
Bob Miller	Aye
Clark Powers	Aye

#### **IN RE: SUPPLEMENTAL APPROPRIATIONS FOR JUNE 2008**

Chairman, Eddie Dean stated the following supplemental appropriations for June 2008 will need to be approved by the Board.

- |    |                                  |   |              |
|----|----------------------------------|---|--------------|
| 1. | Park & Recreation<br>#5690-71100 | Funds deposited for Youth Sports                              | \$ 5,857.50  |
| 2. | Park & Recreation<br>#5690-71100 | Funds Deposited for Health Fitness                            | \$ 5,586.00  |
| 3. | Sheriff<br>#5897-31200           | Bike Smart Mini Grant   | \$ 1,000.00  |
| 4. | Sheriff<br>#1730-31200           | DMV Grant – Highway Safety                                    | \$ 2,499.10  |
| 5. | Sheriff<br>#6010-31200           | DMV Grant –In-Car Video Cameras                               | \$ 5,990.000 |
| 6. | Finance Dept.<br>#1310-12420     | Monies needed to balance for<br>Year due to mid-yr. increases | \$ 150.00    |

**Total of all Supplements:     \$21,082.60**

After discussion, on motion of William L. Crigler, seconded by Bob Miller, the Board approved the supplemental appropriations in the amount of **\$21,082.60** with the following vote recorded:

Eddie Dean	Aye
James L. Arrington	Aye
William L. Crigler	Aye
Bob Miller	Aye
Clark Powers	Aye

**IN RE: MADISON FACILITIES & MAINTENANCE:**

Ross, Shifflett, Director of Facilities & Maintenance, was present to answer any questions regarding the monthly report provided for the Board.

William L. Crigler asked if Coyne Textile will serve all County offices.

James L. Arrington asked if this was a competitive bid.

Ross Shifflett advised that bids were submitted to Cintas and Coyne and Coyne was \$7,500.00 cheaper; also Hart Exterminating was contacted for exterminating services (several offices had pests).

In closing, Ross Shifflett stated a representative from Sonoco is working on a figure/fee for a container; she feels the County will utilize more fuel in utilizing the container and recyclables; will pass along all data regarding costs associated with recycling #1 and #2 plastics along to the Board. Also advised the Waste Management invoice for the month denoted a fuel surcharge being 15 cents shy of \$5,000.00 than last month (bill wasn't received in time to include it in today's report); also advised there are several nice pets available for adoption at the Madison Animal Shelter (kittens & puppies) – service is being implemented to the outside generator; alarm for the septic system was set off by a thunderstorm; will also be ordering some epoxy so that painting can be done to the inside of the kennels. He also advised there are several summer camps that his department will be working with during the summer months; bush hogging will be done tomorrow – electronics recycling event will take place on Monday, June 16, 2008 at the American Legion Hall on Thrift Road.

**IN RE: MADISON E-911 CENTER**

Robert Finks, E-911 Coordinator, provided the following report for the month of May 2008 – (576) 911 calls; (366) were from home phones; (212) from cell phone; (26) hang-ups; (7) misdials; (2) open lines; and (30) alarm calls.

Robert Finks stated he is continuing to meet with representatives from Motorola on a regular basis as they are preparing a recommendation for the radio system as required after FCC changes; he also advised there has been a long-term ordeal Verizon to publish the County office telephone numbers – listings have been omitted once again and it appears there is even less than in previous years. In closing, he advised that a complete listing was forwarded to Verizon for this year's edition.

Bob Miller suggested the next time representatives come before the Madison County Planning Commission, they should be informed of the discrepancies.

Robert Finks advised this has been an ongoing problem for the past several years; if a listing is added, then another is omitted.

#### **IN RE: EMERGENCY MANAGEMENT SERVICES**

Carl Pumphrey, EMS Coordinator, was present and provided a report of all activities for the month of May 2008; he also stated he will be meeting with Robert Finks, Kathy Hatter (Health Department) and Brad Jarvis (Extension) in order work on some mapping in order to prepare for the upcoming exercise.

William L. Crigler asked about the chemical spill inside a dwelling.

Carl Pumphrey stated this incident was committed by a citizen who wasn't aware of the impact his actions would cause on the neighborhood; however, the situation has since been corrected and there was no damage to the environment.

In closing, Carl Pumphrey advised a meeting of the Madison County

Emergency Advisory Committee has been scheduled for Friday, June 20, 2008.

#### **IN RE: MADISON EMERGENCY MEDICAL SERVICES**

Lewis Jenkins, EMS Coordinator, provided the following report for May 2008:

1. Total Calls toned: 98
2. Total calls handled: 90

3. Total calls no response (8) [(2) Culpeper; (1) Greene; (4) Orange for mutual aide assistance were not answered due to no available staff; (1) called handled by MCRS members
4. Average in-County response time to the scene: (10) minutes
5. Night coverage: Eleven hours of night coverage on (19) nights
6. Total calls handled: 17

Lewis Jenkins stated that crews received lectures and hands-on training in treating neonatal patients – Neonatal Resuscitation Program (NRP) was taught by RNs from the UVa Pediatric & Neonatal units; Jack Bennner was awarded the Outstanding Pre-hospital Provider award at the Thomas Jefferson Regional EMS Awards dinner; he will now participate at the EMS symposium for the State award; Kayla McIntosh with the volunteers also won the Outstanding Contribution to EMS by a high school senior.

In closing, Lewis Jenkins provided a page of graphs which denoted the total number of calls that were received by EMS during the hours of 4:00 p.m. and after which denotes a spike in overtime when tending to these calls (i.e. doesn't include volunteer calls – totals include all calls, as well as those with no response).

#### **IN RE: MADISON SHERIFF'S DEPARTMENT**

Randy Jenkins, Deputy, provided the following report for May 2008:

- |    |                         |                   |
|----|-------------------------|-------------------|
| 1. | Calls for Service:      | 849               |
| 2. | Criminal Arrests:       | 50                |
| 3. | Civic Process Served:   | 295               |
| 4. | Days in Court:          | 16                |
| 5. | Traffic summons Issues: | 108               |
| 6. | Animal Control Calls:   | 117               |
| 7. | Court security fees     | \$3,572.38 (paid) |
| 8. | Highway Safety Funds    | \$7,790.93 (paid) |

Randy Jenkins advised the roof at the Sheriff's Department did not leak during last week's rain so it appears to be repaired.

#### **IN RE: MADISON VOLUNTEER RESCUE SQUAD**

William L. Crigler read the following report for the Madison Volunteer Rescue Squad for May 2008:

- 43 patient emergencies [(2) transferred care]  
 4 dispatched – cancelled

7 refusals  
1 mutual aide Greene County – (unable to respond, 1 transport)  
1 standby  
1 public service  
1 no treatment required  
2 dead on scene  
60 total calls dispatched

**IN RE: GOOD HOPE BAPTIST CHURCH (Case Number SU-05-08-29)**

Lisa Kelley, County Administrator, advised the aforementioned application for Good Hope Baptist Church that pertains to the special use permit request on behalf of the Madison Christian School (i.e. name change to Cornerstone Christian School) has been withdrawn.

**IN RE: COURTHOUSE PROJECT (BIDS RECEIVED)**

Lisa Kelley, County Administrator, advised the competitive bidding process has been finalized for the work on Phase II of the Courthouse Renovation Project – bids were received on May 22, 2008 and the following was received from three (3) contractors:

1. \$6,977,700.00
2. \$7,050,000.00
3. \$7,488,000.00

Lisa Kelley, County Administrator, advised the lowest bid was received from Warren Flynn Construction out of Fredericksburg, Virginia – they appear to be very reputable, possess extensive architectural capabilities, and were verified to be most confident in determining the construction drawings and specifications for the project; therefore, after review of all references, the aforementioned company was not only the lowest bidder, but were found to be very responsive/responsible.

In closing, Lisa Kelley, County Administrator, strongly suggested the Board accept the bid of \$6,977,700.00 as presented by Warren Flynn Construction as a price contract (i.e. all matters as denoted in construction drawings and specifications) being bid as written – should situations arise during the project that might require adjustments, etc., there may need to be change orders in order to complete the project. These issues, if any, will be handled as conservatively as possible. She stated the amount being presented is a base bid and should cover the vast majority of the work on the

project and is a well put together bid. All bids were within seven percent (7%) of one another which verifies all documents were read and the outlines of the project were well understand.

James L. Arrington asked if the bidding price includes landscaping for the project.

Lisa Kelley, County Administrator, advised the landscaping of the site and restoration of the site plan are all included in the contract pricing as approved and is denoted in the construction drawings.

Eric Amtmann of Dalglish, Gilpin & Paxton was present and also advised that landscaping in the park is included; he also stated the contract will take about (\$40) to complete with a tentative start date of July 1, 2008 or until substantial completion (County can take occupancy of the building) – after that point, the contractor will have thirty (30) days for final completion (i.e. touch up paint, etc.).

Questions were raised as to whether the brick sidewalks will be revamped or removed, to which Eric Amtmann advised the short brick sidewalk will be removed and resituated; however, the brick at the current entrance to the jury room will be removed and replaced leading up to the Clerk's room. Additionally, the handicap ramp will also be replaced.

William L. Crigler asked how far along into construction should the County wait before acquiring furnishings for the building.

Eric Amtmann advised this task should begin within about three (3) months or so as things really need to progress up/out of the ground with the general contractor – he advised the previous Consultant had already done some inventory and surveying so some of this work has already been completed and based on what furnishings the County already has.

Lisa Kelley, County Administrator, advised this expenditure will be planned (or included) in the budget for next year, as furnishings aren't included in the construction contract.

James L. Arrington asked if the architectural firm would provide general oversight of the construction project, to which Lisa Kelley, County Administrator, stated was correct; she stated she has spoken with the contractor – representatives from



Dalgliesh, Gilpin & Paxton will come to the site during Phase I and meet with the contractor and County Administrator; she advised the first few months will involve difficult site work and demolition work and feels it will be beneficial to have Eric Amtmann on site more frequently – she’s currently seeking to add more site visits (about twice weekly) during the first few months – once the project begins to move along, less visits (i.e. hands-on oversight) will be appropriate.

V. R. Shackelford, III, County Attorney, asked if Dalgliesh, Gilpin & Paxton have had any previous dealings with Warren Flynn Construction, to which Eric Amtmann advised they had not, but did check all references which were reputable; also conversed with a client in Cismont who has worked with Greg Hebler (Warren Flynn Construction) on another project and he provided stellar remarks. Additionally, a similar project in Mineral, Virginia was awarded to Warren Flynn Construction and the report was exceptional. He also advised they have a sub-contractor on board who specializes in the type of work that will be required on the Courthouse Renovation Project in Madison County.

Chairman, Eddie Dean advised the Board will need to take action of the Resolution that has been proved in order to award the contract to Warren Flynn Construction.

Lisa Kelley, County Administrator, advised the contract will be an AIA Standard form contract – a copy will be forwarded to V. R. Shackelford, III, County Attorney, for review. She stated if the Board awards the contract, she will contact the contractor and collect bonds and insurance documents as required.

Chairman, Eddie Dean advised the Board will need to adopt the Resolution as presented.

**RESOLUTION  
AWARDING A CONSTRUCTION CONTRACT FOR  
PHASE II OF THE CIRCUIT COURTHOUSE RENOVATION PROJECT  
TO WARREN FLYNN CONSTRUCTION COMPANY, INC.**

WHEREAS, the County has conducted a competitive sealed bidding process soliciting bids for construction services for Phase II of the Circuit Courthouse Renovation Project (Madison County IFB #2008-2); and

WHEREAS, Warren Flynn Construction Company, Inc. submitted a bid of \$6,977,700 and has been determined that Warren Flynn is the lowest responsive and responsible bidder;

NOW, THEREFORE, BE IT RESOLVED THAT the Board of Supervisors does hereby award a fixed-price contract for construction, in the amount of \$6,977,700 to Warren Flynn Construction Company, Inc.; AND THAT the County Administrator is authorized to execute a contract with Warren Flynn in this amount, in a form approved by the County Attorney; AND FURTHER THAT the County Administrator shall have the authority from time to time to increase the contract price, not to exceed \$30,000, in the aggregate, as may be necessary for proper and timely progress of the work, provided that in no event may the contract amount be increased for any purpose (including, but not limited to, relief of the contractor from an error or omission in its bid) without adequate consideration to the County.

On motion of William L. Crigler, seconded by James L. Arrington, and adopted this 10<sup>th</sup> day of June, 2008, by the Board of Supervisors of Madison County.

\_\_\_\_\_  
Eddie Dean, Chairman, Eddie Dean

	Aye	Nay	Abstain	Absent
Eddie Dean	<u>  x  </u>	_____	_____	_____
James L. Arrington	<u>  x  </u>	_____	_____	_____
William L. Crigler	<u>  x  </u>	_____	_____	_____
Bob Miller	<u>  x  </u>	_____	_____	_____
Clark Powers	<u>  x  </u>	_____	_____	_____

Attest: \_\_\_\_\_  
Lisa R. Kelley, County Administrator/Clerk to the Board

After discussion, on motion of William L. Crigler, seconded by James L. Arrington, the Board approved the Resolution to award a construction contract for Phase

II of the Circuit Courthouse Renovation Project to Warren Flynn Construction Company, Inc., in the amount of \$6,977,700.00, with the following vote recorded:

Eddie Dean	Aye
James L. Arrington	Aye
William L. Crigler	Aye
Bob Miller	Aye
Clark Powers	Aye

#### **IN RE: TEMPORARY COURTHOUSE FACILITY**

Lisa Kelley advised that courthouse furnishings will be relocated to the James Building on Thursday, June 12<sup>th</sup> – will coordinate all details so that court can take place on Wednesday, June 18, 2008 at the temporary facility. In closing, she advised that all has been going well with the relocation and anticipates that all furnishings will fit well in the space provided.

Chairman, Eddie Dean asked if the metal detector will be moved to the new courthouse when renovations are completed.

Lisa Kelley, County Administrator, advised that she received information from Randy Jenkins, Deputy, regarding several types of medical detectors that can be purchased; the plan is to get the basic move completed, see how the expenditures for the current fiscal year pan out (i.e. outfitting the space) and as we get past July 1<sup>st</sup> of the new year in the Phase II capital budget, we will look at ordering a metal detector which can also be used in the new courthouse as soon as possible. In closing, she advised the entryway will be wired to accommodate the detector during operations.

James L. Arrington asked if the sally port will be ready on time, to which Lisa Kelley, County Administrator, advised that asphalt work has been completed and the contractors should be on site tomorrow to complete a sally port and install a retractable gate.

William L. Crigler asked for cost estimates for the metal detectors, to which Randy Jenkins, Deputy, provided the following pricing through state bid:

Garrett Metal Detectors (walk-through)

1. \$2,800.00
2. \$1,700.00

### 3. \$3,000.00

Lisa Kelley, County Administrator, feels this is a reasonable request to provide and is an expenditure which can be utilized for many years to come.

Randy Jenkins, Deputy, stated that all pricing is on state bid and all detectors are brand new and come with a two-year warranty.

Chairman, Eddie Dean asked about operational cameras in the facility.

Lisa Kelley, County Administrator, stated the cameras are operational with one minor adjustment that will be need to one of the cameras; the building also has a key entry system (non-electronic). In closing, Lisa Kelley, County Administrator, advised the representative from the Supreme Court came to Madison County last week to very that all data lines were hooked up and working accordingly and no problems were detected; also working with Verizon in an effort to get an additional fax line installed.

William L. Crigler asked about the platform height and parking, to which Lisa Kelley, County Administrator, advised was appropriate and cleared by Wes Smith, Building Official – there is turnaround space adjacent to the jury lot; she stated there was conflict with the plans that David James and Wes Smith, Building Official, were working from (i.e. doorway had to be removed) which created a slight additional expense. She also provided an overview of the parking arrangements denoted in the lot (i.e. reserved, Judge, jury, general public) and feels there will be sufficient space at the site.

In closing, Lisa Kelley, County Administrator, stated that all departments have been most agreeable and all major items have been settled into place – if there are additional things that are needed, this will be smoothed out as time progresses.

### **IN RE: MINUTES**

Chairman, Eddie Dean advised that Minutes #20 and #21 will need to be approved.

After discussion, on motion James L. Arrington, seconded by Clark Powers, Minutes #20 and #21 were approved as presented and spread in Minute Book #16, page through page, with the following vote recorded:

Eddie Dean	Aye
James L. Arrington	Aye
William L. Crigler	Aye
Bob Miller	Aye
Clark Powers	Abstain\

### **IN RE: PUBLIC COMMENT**

Chairman, Eddie Dean opened the floor for public comment, but there was none.

Chairman, Eddie Dean stated the Board will have a close session before recessing today's meeting.

Lisa Kelley, County Administrator, stated that Carl Pumphrey, Emergency Management Coordinator, has been encouraging all departments to take NIMS training.

### **IN RE: MADISON SHOOTING RANGE**


Chairman, Eddie Dean advised that an interim policy has been proposed for the operation of the shooting range for a six (6) month period.

Chairman, Eddie Dean questioned risk management issues.

William L. Crigler suggested the County be sure that all qualifications for instructors are current.

Chairman, Eddie Dean advised the interim policy will expire December 31, 2008.

Lisa Kelley, County Administrator, advised that she and Ross Shifflett, Director Facilities & Maintenance, will address egress issues regarding the shooting range.

<p>BOARD OF SUPERVISORS POLICY:</p> <p><b>USE AND OPERATION OF THE COUNTY SHOOTING RANGE</b></p>	
<p>DATE OF APPROVAL: INTERIM POLICY</p>	<p>REAL ESTATE/ FACILITIES MANAGEMENT</p>

## **I. PURPOSE**

The purpose of this policy is to establish minimum terms and conditions for the use of the County's shooting range for law enforcement officers.

## **II. PROPERTY MANAGEMENT**

The Madison County Administrator shall be the person lawfully in charge of the property; however, the County Administrator may delegate day-to-day responsibility for oversight of the use and management of the property to the County's Director of Facilities and his staff.

## **III. AUTHORIZED USE**

- a. The County shooting range is authorized only for official law enforcement use, limited to the following:
  - i. Full- and part-time employees of the Madison County Sheriff's Department, and duly-appointed auxiliary deputies (i.e., as provided in Virginia Code §15.2-1733);
  - ii. Full- and part-time employees of the Central Virginia Regional Jail; and
  - iii. Federal, state or other local law enforcement officers engaged in joint training exercises with the Madison County Sheriff's Department or the Central Virginia Regional Jail.
- b. Use of the range shall be monitored through use of a sign-in sheet that will record the identity of the law enforcement officers using the range, the date/time such officers are present at the range, and the types of weapon(s) fired and noise-making devices used.

## **IV. DAYS/HOURS OF USE**

- a. Except as provided in paragraph (b) or (c), below, the County's shooting range shall be available for use only on Wednesdays between the hours of 10 a.m. and 2 p.m.
- b. The Sheriff's Department and the Regional Jail may each reserve a block of days in which to complete firearms qualifications/certifications for their entire staffs ("Training Block") as follows.
  - i. The Sheriff's Department may reserve up to three (3) Training Blocks per year. The Regional Jail may reserve up to two (2) Training Blocks per year. A training block may consist of up to 10 business days, total, but training need not occur on consecutive days within the block.
  - ii. No shooting activity shall be scheduled or conducted on a Saturday or Sunday within a Training Block.

- iii. During a Training Block, shooting activities may be scheduled to commence no earlier than 8:00 a.m. and may continue no longer than \_\_\_\_\_ hours on any given day.
  - iv. During any week that includes one or more days within a reserved Training Block, the normal Wednesday schedule for the range shall be suspended, and unless shooting activities are to be conducted as part of the reserved Training Block, no other/additional shooting activities may take place on such Wednesday.
  - v. Night shooting activities for regular law enforcement officers may take place only during a Training Block. No night shooting activities shall continue past 9:30 p.m.
  - vi. Each law enforcement agency shall give the County at least thirty (30) days' advance written notice of a block of days to be reserved for a Training Block. The written notice shall describe the specific activities that will take place, the types of firearms, ammunition and noise-making devices that will be used, and the beginning and ending times for each date. Further, the date(s) of any planned low-light and night-shooting activities shall be specifically identified.
- c. One Wednesday each month, the Sheriff's Department may conduct Special Response Team (SRT) training at the range, for a period not in excess of 8 hours, from start to finish, including any night shooting activity. No night shooting activities shall continue past 9:30 p.m. On any Wednesday on which SRT training is conducted, the normal Wednesday schedule for the range shall be suspended and shooting activities other than the SRT training may be scheduled on that same day.

## **V. OPERATION**

- a. Any time the range is in use for shooting activities, a DCJS-certified firearms instructor shall be present.
- b. In addition to shooting activities, during normal hours the range is open for use the authorized law enforcement agencies may conduct training which does not involve the firing of any weapons (K-9 training; felony stop training, etc.).
- c. On or before July 1, 2008 the Sheriff, the Superintendent of the Regional Jail and the County Administrator shall cooperatively develop a written set of range rules that will apply during times that the range is in use. The range rules shall specifically address the following:
  - i. The types of firearms and ammunition authorized for use at the range;
  - ii. The authorized types of targets for use at the range;

- iii. Safety rules that will govern shooting and other law enforcement activities at the range; and
  - iv. The means by which persons approaching the range will be notified that the range is in use, by signage or other appropriate mechanisms.
- d. The Director of Facilities, with the approval of the County Administrator, shall be responsible for establishing and maintaining control over access to the shooting range. He shall provide for a means of access to the site during times when the Transfer Station is closed, and shall keep the Sheriff's Department and Regional Jail informed of the procedure required for obtaining and returning any keys to the site.
- e. At the request of the County Administrator, the Sheriff's Department or Regional Jail will measure and record sound levels at the County property line(s) adjacent to the shooting range during shooting activities. Sound shall be measured at the County property line using a Type 2 sound level meter which meets the standards prescribed by ANSI. The sound meter shall be set to the slow response and to the A-weighted scale. When sound measurements are requested to be taken, a minimum of three readings will be taken. The geometric mean of these readings will be used as the average sound level.
- f. At the request of the County Administrator, the Sheriff or Superintendent of the Regional Jail, or their designees, shall promptly assist the County Administrator in responding to complaints and resolving problems arising from the use, operation or maintenance of the shooting range.

## **VI. MAINTENANCE**

- a. Whenever any law enforcement officer(s) utilize the shooting range, the officer(s) shall be responsible for keeping track of all brass, paper and other debris that accumulates on the range during such use. Prior to leaving the range the officer(s) shall collect and take such trash and debris away with them upon departure.
- b. The Sheriff's Department and the Regional Jail will cooperate with the Facilities Director in developing a plan and schedule for ongoing maintenance of the shooting range, including grass mowing, maintenance of berms, maintenance of shooting lanes and other facilities. Upon request, the Sheriff and the Regional Jail Superintendent shall provide reasonable assistance in the form of manpower, equipment on-hand, or information, to ensure that the costs of maintenance of the facility can be kept as low as possible.



- c. The Sheriff's Department and the Regional Jail shall cooperate with the County's Facilities Director to implement a variety of Best Management Practices (BMPs) for lead, appropriate to the County's shooting range facility.

Adopted this 10<sup>th</sup> day of June, 2008.

On motion of Bob Miller, seconded by William L. Crigler, the Interim Policy for the Shooting Range as amended with recommendations that qualification certifications be kept on file, with the following vote recorded:

Eddie Dean	Aye
James L. Arrington	Aye
William L. Crigler	Aye
Bob Miller	Aye
Clark Powers	Aye

**IN RE: HOLIDAY TIME (As approved by Governor Tim Kaine)**

Lisa Kelley, County Administrator, advised the Governor has approved holiday time for the State and the Board will need to decide whether to continue with the past policy of following the same schedule to include the following:

**Thanksgiving:** Wednesday, November 26, 2008 – offices close at noon and remain closed through Friday, November 28, 2008; and

**Christmas:** Close offices on Wednesday, December 24, 2008 at noon and remain closed through Friday, December 26, 2008.

After discussion, on motion of Clark Powers, seconded by James L. Arrington, the Board approved the holiday schedule for Madison County employees as suggested by the Governor of the Commonwealth of Virginia, with the following vote recorded:

Eddie Dean	Aye
James L. Arrington	Aye
William L. Crigler	Aye
Bob Miller	Aye
Clark Powers	Aye

**IN RE: DEPARTMENT OF CONSERVATION & RECREATION**

Lisa Kelley, County Administrator, advised that she received a letter from the Department of Conservation & Recreation with regard to conducting a study of the Hughes River to determine if it qualifies for scenic river designation; a request to receive a letter from Madison County indication support of the evaluation and the County will

not have to adopt a resolution or proposal for the study to be conducted. An invitation has been proposed for any local citizens who'd like to contact a representative for any information or a presentation on the scenic river program.

William L. Crigler verbalized concerns as to what was involved in the scenic river designation, to which Lisa Kelley, County Administrator, advised she was not certain.

Bob Miller stated the only information he knew was the designation prevented damming.

Lisa Kelley, County Administrator, stated she'd try to check the web for information during the break.

#### **IN RE: DEPARTMENT OF THE INTERIOR**

Lisa Kelley, County Administrator, advised that a letter was received from the Department of the Interior of the National Park Service proposing to designate Skyline Drive as a national historic landmark; the nomination has been made and a meeting has been scheduled for July 21<sup>st</sup> – 22<sup>nd</sup>, 2008 @ 8:30 a.m. in Washington, D.C. to plan and discuss the designation. She also advised the correspondence lists a website regarding the proposal and also displays a fact sheet on this issue.

#### **IN RE: DEDICATION FOR LOUISE AYLOR**

Lisa Kelley, County Administrator, reminded the Board that a reception has been scheduled in the lobby of the Madison Health Department to dedicate the lobby to Louise Aylor – the ceremony will take place at 9:30 a.m. on Wednesday, June 11, 2008. She stated that if at all possible, staff will try to have Mrs. Aylor at the reception – a plaque has been engraved for presentation on behalf of the Madison County Board of Supervisors. A letter was also drafted for Mrs. Aylor containing the same language as contained in the plaque that has been engraved.

#### **IN RE: KEMPER MANSION**

James L. Arrington asked about the Kemper Mansion, to which Lisa Kelley, County Administrator, advised that an invitation for bids will need to be implemented – work on the structure will require a lot of scraping and wood repair – she doesn't have an exact dollar figure at the present time.

James L. Arrington also of anyone had contact the County office about placing a cut in the pavement at Tanner's Feed Store to allow handicap access to the store.

Lisa Kelley, County Administrator, advised the work will be done – the owner has also discussed this concern with Wes Smith, Building Official.

James L. Arrington asked V. R. Shackelford, III, County Attorney, about amending the County's Zoning Ordinances to define what constitutes an application to avoid a recurrence of the situation that recently occurred with Trigon Development, LLC.

V. R. Shackelford, III, County Attorney, asked if there were any ideas or suggestions – clarifications can be incorporated to include a provision for subdivisions.

**IN RE: MADISON TRANSFER STATION (Right-of-way)**

William L. Crigler asked about the right-of-way at the Madison Transfer Station, to which Lisa Kelley, County Administrator, advised that V. R. Shackelford, III, County Attorney, researched the issue.

V. R. Shackelford, III, County Attorney, stated he performed some title work on the Powell/Love property and the recorded right-of-way doesn't cross the Madison Transfer Station.

**IN RE: BUILDING PERMIT INFORMATION**

Chairman, Eddie Dean asked if the information containing building permit figures, to which Lisa Kelley, County Administrator, advised that Wes Smith, Building Official, doesn't attend each monthly meeting but wanted to provide the Board with a more detailed written report that can provide trends in amount of building permits that are implemented through his department.

**IN RE: PUBLIC COMMENT**

Chairman, Eddie Dean opened the floor for public comment – there was none.

**IN RE: CLOSED MEETING**

On motion of William L. Crigler, seconded by Clark Powers, the Board voted to go into a closed meeting to discuss matters exempt from the open meeting requirements of the Virginia Freedom of Information Act – this subject and purpose falls within the following exemption: Virginia Code §2.2-3711(A)(7) Consultation with Legal

Counsel Pertaining to Litigation Between Sheriff Erik Weaver and Leigh Purdum, with the following vote was recorded:

Eddie Dean	Aye
James L. Arrington	Aye
William L. Crigler	Aye
Bob Miller	Aye
Clark Powers	Aye

On motion of James L. Arrington, seconded by Clark Powers, the Board voted to reconvene in open session, with the following vote recorded:

Eddie Dean	Aye
James L. Arrington	Aye
William L. Crigler	Aye
Bob Miller	Aye
Clark Powers	Aye

On motion of William L. Crigler, seconded by Clark Powers, the Board voted to certify, pursuant to Va. Code §2.2-3712, that only matters specifically exempted from the open meeting requirements of the Freedom of Information Act, as identified in the motion by which the closed meeting was convened, were heard, discussed or considered in the closed session. The following vote was recorded:

Eddie Dean	Aye
James L. Arrington	Aye
William L. Crigler	Aye
Bob Miller	Aye
Clark Powers	Aye

MOTION: William L. Crigler

RESOLUTION NO: 2008-6

SECOND: Clark Powers

MEETING DATE: June 10, 2008

#### CERTIFICATION OF CLOSED MEETING

WHEREAS, the Madison County Board of Supervisors has convened a closed meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of The Virginia Freedom of Information Act; and

WHEREAS, 2.2-3712 of the Code of Virginia requires a certification by the Madison County Board of Supervisors that such closed meeting was conducted in conformity with Virginia law;

NOW, THEREFORE, BE IT RESOLVED that the members of the Madison County Board of Supervisors hereby certify that, to the best of each member's knowledge, (i) only public business matters lawfully exempted from open meeting

requirements under the Virginia Freedom of Information Act were heard, discussed or considered in the closed meeting to which this certification resolution applies, and (ii) only such public business matters as were identified in the motion convening the closed meeting were heard, discussed or considered by the Madison County Board of Supervisors.

#### VOTE

AYES, Eddie Dean, James L. Arrington, William L. Crigler, Bob Miller, Clark Powers

ABSTAIN: None

NAYS: None

ABSENT DURING VOTE: None

ABSENT DURING MEETING: None

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Clerk/Secretary of the Madison County Board of Supervisors

\*No action was taken as a result of Closed Session.

Chairman, Eddie Dean recessed the meeting until 7:30 p.m.

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**7:30 P.M.: Meeting reconvened with Chairman, Eddie Dean calling the meeting to order and noted that all Board members are present.**

#### **IN RE: PUBLIC COMMENT**

Chairman, Eddie Dean opened the floor for public comment.

Khalil Hassan was present and stated that he missed the public meeting last week but wanted to comment on the cases brought forth by Verizon Wireless for cell towers and suggested the Board take a good one at what was being proposed. He opposed the idea of blanketing the County with several 199 foot towers and added there are viable alternatives and feels that a different approach to provide technology would be more beneficial. Additionally, he commented on the contents of the County's Comprehensive Plan with regard to preserving the landscape and view shed and feels that 199 foot towers do not preserve the view shed and destroy rural character as such large towers are out of place and do not define rural character. In closing, he stated there are facilities constructed in Albemarle and Rappahannock Counties that fit into their overall landscape (masked by silos) which preserves rural character and would fit very naturally into the landscape of Madison County. He feels the idea of having more towers is

actually a good thing as each of these towers will generate revenue for the County; however, by increasing the number of sites on several properties will also provide potential revenue for landowners. He commented on previous meetings where there was discussions about networking the entire County as well as Route 231 (Scenic Byway) and he expressed concerns as to why the same type of process that will take place in that area can't also be implemented along Route 29 (not 199 foot towers) and also suggested if Verizon Wireless intends to propose nothing but 199 foot towers (along Route 231 and Route 29) the Board should request other alternatives.

Lisa Kelley, County Administrator, commented that some equipment and facilities are locally taxed; she also commented on the scenic view along Route 29.

**IN RE: PROPOSED FEE INCREASES (Zoning, Erosion/Sedimentation, Inspection)**

Lisa Kelley, County Administrator, provided the Board with a detailed listing of proposed fee increases for Zoning, Erosion/Sedimentation and Inspection procedures based on discussions during a previous Workshop Session. After discussions with Betty Grayson, Zoning Administrator, increases were developed based on the workload in the Zoning, Building and Erosion/Sedimentation offices and the time involved in the research of cases they are presented with. Therefore, after looking at the existing fee schedule and investigating fees for surrounding localities (i.e. Greene, Culpeper, Orange) a determination was made as to what an appropriate fee increase would be for Madison County.

V. R. Shackelford, III, County Attorney, also commented on the increase in advertisements placed in the local newspaper.

James L. Arrington asked about the current feels for inspections.

Lisa Kelley, County Administrator, asked the Board to review the document; in the event the Board will consider raising the fees in any specific areas, a Resolution will need to be approved in order to incorporate the additional revenue into the upcoming budget. In closing, she also advised a fee increase will assist with the recovery of the expense that it costs the County to provide all the services that take place in the Zoning, Building and Erosion/Sedimentation offices. In closing, the increased fee will be a little substantial but is in no way close to the offset the operational costs of providing services.

Bob Miller asked about Item #6 (Telecommunications Towers) listed in the

proposed Zoning Office fee schedule, to which Lisa Kelley, County Administrator, explained that some Ordinances have a special Zoning Ordinance that denote provisions related to the review/evaluation of telecommunications facilities; therefore, if the County finds it necessary to seek professional consultation to review engineering data, etc. the County can attain such consultation and the applicant will be responsible for the cost of this service.

Bob Miller also asked about #11 (Zoning Certification Letters), to which Lisa Kelley, County Administrator, explained this will be a \$50.00 – there is currently no fees for this type of service but have performed this service on several occasions; she also explained this type of certification is necessary when a property owner desires an official determination of how many division rights they have for a specific parcel or whether they can conduct a certain activity lawfully under the zoning regulations denoted for a particular district – if the Zoning Administrator renders a determination letter that denotes specifically what a landowner can do and/or a certain number of property rights, this type of letter can actually provide the landowner information they can rely on; however, the research is quite extensive for the Zoning Administrator, and Lisa Kelley, County Administrator, feels there should be a fee to cover the cost of providing this determination based on the amount of time and research that is involved.

James L. Arrington asked if the County currently has an agricultural structure zoning permit fee.

Lisa Kelley, County Administrator, advised this is the same as a zoning permit but the fee is half the cost of a zoning permit due to the agricultural uses.

In closing, Lisa Kelley, County Administrator, stated when a new structure is proposed, Betty Grayson, Zoning Administrator, would like to review the documentation in order to verify that it's being built within the setbacks that are required as denoted in the County's Zoning Ordinance. She advised that Wes Smith, Building Official, looks more at the building code and structural issues; however, Betty Grayson, Zoning Administrator, looks at the placement of the building on the site to ensure the type of building is authorized and within zoning requirements.

James L. Arrington questioned whether this was being implemented for agricultural structures, to which it was noted as being "yes."

In closing, James L. Arrington verbalized that feels should be reviewed and brought in line with current day services.

Lisa Kelley, County Administrator, referenced fees from surrounding localities versus the restructured fees for Madison County.

Lisa Kelley, County Administrator, advised that she will get V. R. Shackelford, III, County Attorney, to determine a format for increasing the fees and hope to have everything ready for the Board to take action on this issue during the July Regular Meeting.

V. R. Shackelford, III, County Attorney, advised there was a fee increase implemented the last time the tax rate was adopted.

#### **IN RE: BUDGET ADMINISTRATION**

Lisa Kelley, County Administrator, provided the Board with a document on Budget Administration and denoted a discussion during a former Workshop Session about the need to clarify the policy of the Board to determine day-to-day management of issues pertaining to line item expenditures within the County budget. She advised that Teresa Miller, Finance Director, discovered that several localities have developed budgeting strategies that are modeled on those implemented in Washington County.

Lisa Kelley, County Administrator, provided an overview of the formatting policy provisions entailed in the budget administration document (i.e. day-to-day responsibilities for management/oversight; integrated accounting system (i.e. to include Social Services and School System); contingency reserve & capital reserve; County Administrator will be responsible for day-to-day operations of budget in conjunction with the Finance Director.

Chairman, Eddie Dean advised that further discussion of this issue should be taken up during the Budget Public Hearing scheduled for Monday, June 16, 2008 at 6:30 p.m.

V. R. Shackelford, III, County Attorney, verbalized concerns as to the increased workload such a policy will place on the County Administrator.

Lisa Kelley, County Administrator, advised the guidelines are basically already being followed; however, there is some resistance in complying with the line-item budget. She stated the Board has verbalized the desire to implement a line-item



budget and she feels the message has been communicated – also this is the type of practice that is basically being undertaken on a daily basis....the document just fully clarifies this regard for anyone who might have questions of the line-item operations.

#### **IN RE: PUBLIC HEARING**

V. R. Shackelford, III, County Attorney, reminded the Board of the upcoming Public Hearing on the Budget that has been scheduled for Monday, June 16, 2008 at 6:30 p.m. to be followed by a Public Hearing on the Tax Rate at 7:30 p.m. (or shortly thereafter. In closing, he advised the Board can always set the tax rater lower and then go higher.

#### **IN RE: SCENIC RIVER DESIGNATION (Hughes River)**

Lisa Kelley, County Administrator, advised that correspondence was received from the Department of Conservation & Recreation asking Madison County to provide a letter in support of a request by Rappahannock County to study the Hughes River in order to be designated as a Scenic River.

Chairman, Eddie Dean strongly suggested the letter reference “study” only.

Lisa Kelley, County Administrator, advised the letter will denote that in no way is the Board expressing an opinion in any manner as to what the outcome will be; she also stated the letter that was received emphasized the aforementioned point as well, as the County isn’t being asked to endorse the request; therefore, she will follow the language as expressed when composing a letter of support of the study.

After discussion, on motion of James L. Arrington, seconded by Clark Powers, the Board voted to have Lisa Kelley, County Administrator, prepare a letter as suggested by the Department of Conservation & Recreation to support the application for a study of the Hughes River to be designated as a Scenic River, with the following vote recorded:

Eddie Dean	Aye
James L. Arrington	Aye
William L. Crigler	Aye
Bob Miller	Aye
Clark Powers	Aye

#### **IN RE: PUBLIC COMMENT**

Jerry Butler was present and expressed concerns over the budget line item

procedure and advised he was unsure of how this will affect the purchase of vehicles (i.e. leasing versus purchasing) and how this will be allocated as a line item (does the department get one-third of the year each year or [1] car equivalent per year) – he stated that vehicles have to be replaced at the Madison County Sheriff’s Department primarily from accidental damage, and the department isn’t quite certain of the “leasing versus purchasing.”

Chairman, Eddie Dean suggested the Board has not determine any particular clarification with leasing/purchasing at this point, but will be investigating this issue between now and the first of the new year as to establish which recourse of action will be pursued regarding this issue. Furthermore, Chairman, Eddie Dean advised that a department purchasing one (1) vehicle will basically have this denoted in their individual budget.

Lisa Kelley, County Administrator, advised these issues will be investigated during next year – depending on how many vehicles will need to be purchased, there may be some logic to leasing and/or purchasing, and these types of expenditures can be incorporated into the capital improvement plan (i.e. capital expense) although not a building expense.

Jerry Butler advised the need to purchase vehicles for the Madison County Sheriff’s Department has been programmed into a specific number of years and a number of cars have been purchased so all the vehicles don’t expire at the same time.

With no further action being required by the Board, on motion of James L. Arrington, seconded by Clark Powers, Chairman, Eddie Dean adjourned the meeting, with the following vote recorded:

Eddie Dean	Aye
James L. Arrington	Aye
William L. Crigler	Aye
Bob Miller	Aye
Clark Powers	Aye

Date: June 11, 2008